

Serial No.: 09/801,185

-4-

Group Art Unit: 1644

REMARKS

Claims 114-121 and 141-166 were pending in the application. Claims 114-121 and 143-158 have been cancelled. Accordingly, claims 141, 142, and 159-166 will be pending in the application following entry of this Amendment and Response.

The foregoing claim cancellations should in no way be construed as an acquiescence to any of the Examiner's rejections, and have been made *solely* to expedite the prosecution of the application. Applicant reserves the right to pursue the claims as originally filed in this or a separate application(s).

Rejection of Claims 141-142 and 159-166 Under Nonstatutory Obviousness-Type Double Patenting

Claims 141-142 and 159-166 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 36-40 and 49 of U.S. Patent No. 6,509,015. Applicant respectfully disagrees and traverses this rejection; however, in the interest of expediting allowance of the application, Applicant respectfully submits herewith an executed terminal disclaimer in compliance with 37 C.F.R. 1.321(b) and (c).

The submission of the executed terminal disclaimer is not to be construed as an admission by the Applicant that the present claims are obvious over claims 36-40 and 49 of U.S. Patent No. 6,509,015.

In view of the submission of the enclosed terminal disclaimer, the rejection of the pending claims in view of the cited claims of U.S. Patent No. 6,509,015 is rendered moot.

Rejection of Claims 114-121 and 143-158 Under Nonstatutory Obviousness-Type Double Patenting

Claims 114-121 and 143-158 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 4-7 and 36-39 of U.S. Patent No. 6,509,015. Applicant traverses this rejection. In the interest of expediting prosecution, however, claims 114-121 and 143-158 have been cancelled. *The cancellation of claims 114-121 and 143-158 is not to be construed as acquiescence to the Examiner's rejection of the claims, and was done for the sole purpose of expediting allowance of the instant application.*

In view of the cancellation of claims 114-121 and 143-158, the rejection is rendered moot.

Serial No.: 09/801,185

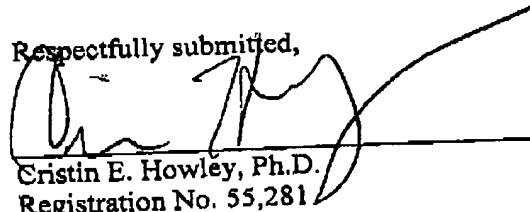
-5-

Group Art Unit: 1644

SUMMARY

In view of the foregoing remarks, reconsideration of the rejections and allowance of all pending claims is respectfully requested. If a telephone conversation with Applicant's Attorney would expedite the prosecution of the above-identified application, the Examiner is urged to call Applicant's Attorney at (617) 227-7400.

Respectfully submitted,


Cristin E. Howley, Ph.D.
Registration No. 55,281For
Elizabeth A. Hanley, Esq.
Registration No. 33,505
Agent for Applicant

LAHIVE & COCKFIELD, LLP
ONE POST OFFICE SQUARE
BOSTON, MA 02109
(617) 227-7400 (Telephone)

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